

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A9025

David VALE, et al.

Appln. No.: 09/985,820

Confirmation No.: 4546

Group Art Unit: 3731

Filed: November 6, 2001

Examiner: Melanie Ruano Tyson

For: FILTER ELEMENT FOR EMBOLIC PROTECTION DEVICE

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. U.S. Patent No. 5,152,777 issued October 6, 1992, to Goldberg et al.
2. U.S. Patent No. 5,303,714 issued April 19, 1994, to Abele et al.
3. JP-A 07-124251 published May 16, 1995, to Terumo Corp., with English Abstract and abridged translation.

One copy of JP-A 07-124251 is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

INFORMATION DISCLOSURE STATEMENT  
U.S. Appl. No.: 09/985,820

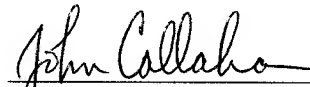
Attorney Docket No.: A9025

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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